

AMENDED IN ASSEMBLY SEPTEMBER 1, 2015

AMENDED IN ASSEMBLY JULY 1, 2015

AMENDED IN SENATE JUNE 2, 2015

AMENDED IN SENATE MAY 5, 2015

AMENDED IN SENATE APRIL 13, 2015

SENATE BILL

No. 246

Introduced by Senator Wieckowski

February 18, 2015

An act to add Part 4.5 (commencing with Section 71350) to Division 34 of the Public Resources Code, relating to environmental protection.

LEGISLATIVE COUNSEL'S DIGEST

SB 246, as amended, Wieckowski. Climate change adaptation.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emissions reductions. The act requires all state agencies to consider and implement strategies to reduce their greenhouse gas emissions. An executive order establishes a climate action team consisting of specified ex officio members and requires the team to make a specified biannual report to the Legislature and Governor.

This bill would establish the Climate Adaptation and Resiliency Program to be administered by the Office of Planning and Research to coordinate state, regional, and local ~~agency~~ efforts to adapt to the impacts of climate change, as specified. ~~The bill would require the California Environmental Protection Agency, the Natural Resources Agency, and the office, no later than January 1, 2017, and every 3 years thereafter, to update the 2009 California Climate Adaptation Strategy, as specified. The bill also would require the office, no later than January 1, 2018, and every 3 years thereafter, require, within one year of an update to the Safeguarding California Plan, the Office of Emergency Services, in coordination with the Natural Resources Agency, the Office of Planning and Research, and relevant public and private entities, to update review and update, as necessary, the Adaptation Planning Guide, as specified. The bill would establish an advisory council, as specified, to support those the goals of the office. Office of Planning, and Research as identified by the bill. The bill would require the office Office of Planning, and Research to establish a clearinghouse for climate adaptation information, as specified.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Part 4.5 (commencing with Section 71350) is
2 added to Division 34 of the Public Resources Code, to read:
3
4 PART 4.5. CLIMATE ADAPTATION AND RESILIENCY
5 PROGRAM
6
7 71350. For purposes of this part, “office” means the Office of
8 Planning and Research.
9 71352. The Legislature finds and declares:
10 (a) The state has been a leader in climate mitigation efforts.
11 However, the state’s efforts alone will not prevent global climate
12 change from occurring, as noted in the update to the 2009
13 California Climate Adaptation Strategy issued in July 2014. Due
14 to the inevitability of climate change impacts on the state, the state
15 must invest in building resiliency and strengthening adaptation
16 efforts at the state, regional, and local levels using the
17 best-available science.

1 (b) Improved coordination of existing adaptation planning efforts
2 and funding by the state, as well as increased implementation and
3 support of adaptation programs, can directly protect the state's
4 infrastructure, communities, environmental quality, public health,
5 natural resources, and economy from the unavoidable impacts of
6 climate change for decades to come.

7 (c) In order to have a cohesive and comprehensive adaptation
8 response to climate change impacts, the state must have integrated
9 planning with coordinated strategies across state, regional, and
10 local governments and agencies.

11 (d) The office is established as the comprehensive state planning
12 agency that shall engage in the formulation, evaluation, and
13 updating of long-range goals for factors that shape statewide
14 development patterns and significantly influence the quality of the
15 state's environment, in addition to assisting state, regional, and
16 local agencies in a variety of research and planning efforts, pursuant
17 to Section 65040 of the Government Code. Therefore, the office
18 is well-positioned to work with state, regional, and local entities
19 across the state in coordinating climate adaptation strategies.

20 (e) It is the intent of the Legislature, therefore, that adaptation
21 strategies to build resiliency to the risks and impacts from climate
22 change be integrated in state policies, projects, and permitting
23 processes, and that the office serve as a coordinating body for
24 adaptation projects and goals across California.

25 71354. The Climate Adaptation and Resiliency Program is
26 hereby established to be administered by the office. No later than
27 January 1, 2017, the Director of State Planning and Research shall
28 establish the program to coordinate state, regional, and local agency
29 efforts to adapt to the impacts of climate change with, to the extent
30 feasible, an emphasis on climate equity considerations across
31 sectors and regions and strategies that benefit both ~~reductions~~
32 greenhouse gas emissions *reductions* and ~~adaptation efforts~~ *efforts*,
33 *in order to facilitate the development of holistic, complimentary*
34 *strategies for adapting to climate change impacts*. The program
35 shall ~~include~~ *include, but is not limited to*, all of the following:

36 ~~(a) Assisting state agencies in coordinating the planning and~~
37 ~~preparation of regular updates to the 2009 California Climate~~
38 ~~Adaptation Strategy, pursuant to Section 71356, and maintain~~
39 ~~copies of the updates on the office's Internet Web site.~~

1 (a) Working with and coordinating local and regional efforts
2 for climate adaptation and resilience, including, but not limited
3 to, the following:

4 (1) Developing tools and guidance.

5 (2) Promoting and coordinating state agency support for local
6 and regional efforts.

7 (3) Ensuring that state planning, guidance, and guidelines reflect
8 the efforts and challenges faced by local and regional entities
9 pursuing adaptation and resilience.

10 (b) ~~Working with~~ Assisting the Office of Emergency Services
11 and other relevant state agencies and public and private entities
12 ~~to create~~ with coordinating regular updates reviews and updates,
13 as needed, to the Adaptation Planning Guide, pursuant to Section
14 ~~71358~~, 71356, and ~~maintain copies~~ maintaining a copy of the
15 ~~updates~~ guide, or an electronic link to a copy of the guide hosted
16 on another Internet Web site, on the office's Internet Web site.
17 ~~One or more lead state agencies may be designated to prepare the~~
18 ~~updates.~~

19 (c) Coordinating and maintaining the state's clearinghouse for
20 climate adaptation information, pursuant to Section ~~71362~~. 71360.

21 (d) Conducting regular meetings with the advisory council
22 established pursuant to Section ~~71360~~ 71358 in order to have
23 *technical support, as well as* expertise and advice from regional
24 and local experts working in climate adaptation throughout the
25 research and planning processes, as described in this section.

26 ~~71356. No later than January 1, 2017, and every three years~~
27 ~~thereafter, the California Environmental Protection Agency, the~~
28 ~~Natural Resources Agency, and the office, in coordination with~~
29 ~~those agencies that have previously led sector-specific adaptation~~
30 ~~efforts and any relevant public and private entities, shall update~~
31 ~~the 2009 California Climate Adaptation Strategy, for which the~~
32 ~~first update was titled Safeguarding California: Reducing Climate~~
33 ~~Risk, to incorporate advances in climate science and risk~~
34 ~~management options regarding regional and statewide climate~~
35 ~~change impacts and vulnerabilities and recommended adaptation~~
36 ~~strategies.~~

37 ~~71358.~~

38 ~~71356. (a) No later than January 1, 2018, and every three years~~
39 ~~thereafter, Within one year of an update to the Safeguarding~~
40 ~~California Plan, the Office of Emergency Services, in coordination~~

1 *with the Natural Resources Agency, the office, in coordination*
 2 *with all and relevant public and private entities, shall update review*
 3 *and update, as necessary, the Adaptation Planning Guide to*
 4 *provide tools and guidance to regional and local governments and*
 5 *agencies in creating and implementing climate adaptation and*
 6 *community resiliency plans and projects. The An Adaptation*
 7 *Planning Guide updates update shall be informed by the climate*
 8 *adaptation clearinghouse established pursuant to Section 71362*
 9 *71360 and the scientific assessments and recommendations in the*
 10 *most recent update prepared pursuant to Section 71356. The of the*
 11 *Safeguarding California Plan. An Adaptation Planning Guide*
 12 *updates update shall include, at a minimum, all of the following:*
 13 *provide information and planning support for assessing climate*
 14 *vulnerabilities across impact sectors and regions and developing*
 15 *adaptation strategies that can be tailored to meet local needs.*

16 (1) ~~Information concerning funding opportunities for adaptation~~
 17 ~~research, planning, and projects.~~

18 (2) ~~Regionally prioritized best-practice adaptation projects that,~~
 19 ~~where appropriate, integrate efforts to reduce greenhouse gas~~
 20 ~~emissions across the state.~~

21 (3) ~~Recommended metrics and indicators to track the progress~~
 22 ~~and success of adaptation efforts locally, regionally, and statewide.~~

23 (4) ~~Adaptation planning templates for use by local governments~~
 24 ~~and regional collaboratives.~~

25 (5) ~~Guidelines for coordinating adaptation activities among state~~
 26 ~~and local governments and regional collaboratives.~~

27 (b) As part of updating the Adaptation Planning Guide, the
 28 office with the advisory council created pursuant to Section 71360
 29 71358 shall hold public meetings and workshops at least annually
 30 in the northern, southern, and central regions of the state to obtain
 31 input from the public and leaders in local and regional climate
 32 preparedness.

33 ~~71360.~~

34 71358. (a) An advisory council to the office is hereby
 35 established. The advisory council shall be comprised of 15
 36 members from a range of disciplines disciplines, in order to provide
 37 scientific and technical support, as well as and from regional and
 38 local perspectives, to governments and entities. The advisory
 39 council shall support the office's goals goals, as identified in this

~~part.~~ *part, to facilitate coordination among state, regional, and local agency efforts to adapt to the impacts of climate change.*

(b) Members of the advisory council shall ~~be appointed based on their~~ have expertise in the intersection of climate change and areas that include, but need not be limited to, any of the following:

- (1) Public health.
- (2) Environmental quality.
- (3) Environmental justice.
- (4) Agriculture.
- (5) Transportation and housing.
- (6) Energy.
- (7) Natural resources and water.
- (8) Planning.
- (9) Recycling and waste management.
- (10) Local or regional government.
- (11) Tribal issues.
- (12) Emergency services.

~~(e) Five members of the advisory council shall be appointed by the Governor, five members shall be appointed by the Speaker of the Assembly, and five members shall be appointed by the Senate Committee on Rules. All members shall be appointed to four-year terms with the possibility of reappointment.~~

~~(d)~~

~~(c)~~ The advisory council shall meet with the office as ~~needed~~ needed, but not less than three times a year.

~~(e) The members of the advisory council shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties.~~

~~71362.~~

71360. (a) (1) The office shall coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities.

(2) The clearinghouse shall be a centralized source of information that provides ~~downscaled~~ available climate data to guide decisionmakers at state, regional, and local levels when planning for and implementing climate adaptation projects to promote resiliency to climate change. The clearinghouse ~~shall include all~~ may include, but is not limited to, any of the following:

1 (A) A collection of the best-available ~~science~~, *resources that*
2 *may include* projections and models, ~~and vulnerability assessments~~
3 ~~of assessments, and downscaled data for~~ climate change impacts
4 throughout the ~~state~~ *state*, *when available*, at statewide, regional,
5 and local levels for both near-term and longer term timescales,
6 including year 2050 and year 2100 projections. Climate change
7 impacts ~~shall~~ *may* include, but are not limited to, impacts to public
8 health, natural resources, environmental quality, and infrastructure.

9 (B) Tools that allow for the visualization or identification of
10 regional and local impacts across the state and that integrate
11 best-available data on vulnerable populations and infrastructure.

12 (C) A library of relevant white papers, case studies, research
13 articles, and climate adaptation best practices that are searchable
14 by relevance to region, locality, and sector.

15 (D) *Information concerning funding opportunities for adaptation*
16 *research, planning, and projects.*

17 (E) *Regionally prioritized best-practice adaptation projects*
18 *that, as appropriate, integrate efforts to reduce greenhouse gas*
19 *emissions across the state.*

20 (b) The clearinghouse shall be regularly ~~updated with relevant~~
21 ~~information to improve its functionality as a tool to guide~~
22 ~~decisionmaking at state, regional, and local levels.~~ *updated.*